

XXXXX AGENCY

7 JAN 1948

The Comptroller General
of the United States
Washington 25, D. C.

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CLASSIFICATION CLASS: X
DATE: 1/13/48
CLASS. CHANGED TO: IS S C
AUTH: HR 792
DATE: 13/4/81 REVIEWER:

Dear Sir:

It has come to my attention that there is some doubt in the minds of this Agency's Finance officials and Authorized Certifying Officers with respect to the proper amounts of quarters and cost of living allowances to be paid at classified posts under the provisions of Bureau of the Budget Circular No. A-8, Revised. The question currently involved relates specifically to payments which should be made to married employees.

It has been our understanding that the increased allowances at classified posts are payable to married employees (regardless of whether or not the wife resides at the post) or unmarried employees with families at their foreign posts, with only the basic allowances payable to single employees without families at the posts. Accordingly, a married employee has automatically been granted the increased allowances for both Quarters and Cost of Living without taking into consideration whether or not his wife lives with him at the post. Of course, an employee who is not responsible for the support of a wife, because of death, divorce, or other appropriate reasons, has been paid only the basic allowances unless members of his family were present. It has now been brought to our attention that it may be proper to pay married employees the increased allowances only if their wives or members of their families are living with them.

To support the interpretation heretofore followed by this office, attention is invited to Appendix II, Circular No. A-8, Revised, which sets forth the quarters allowances payable under the various Post classifications. The increased allowances authorized by this appendix are payable to employees who are "married, or unmarried with family", and the basic allowances are payable to employees who are "single, without family". Circular No. A-8 Revised, stipulates that "family" means the mother, father, children, step-children or sister of a married or unmarried employee living with the employee at the foreign post. It is of primary importance to note that the definition omits any mention of a wife. It is also to be noted that the cost of Living Allowance schedules provide for allowances for personnel "With Dependents" and "Without Dependents". Further, Standard Form No. 1069-Rev., Voucher for Allowances at Foreign Posts of Duty, which has been prescribed for use in

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the payment of quarters and cost of living allowances, is so devised that a married employee who does not have his wife living with him at his foreign post would have to add a statement to that effect on the face of the form before it could be properly certified and presented for payment. The following certifications appear on the face of the form and are to be checked by the employee when he executes his claim: "I am married, or unmarried, and have living with me at the above-mentioned post or station, children, step-children, mother, father or sister" and "I am unmarried and have no children, stepchildren, mother, father or sister living with me at the above-mentioned post or station". It appears that if a married employee is not entitled to the increased allowances, because his wife does not live with him, neither of the quoted certifications will provide the necessary information. The pertinent instructions seem to indicate that a married man who does not have his wife residing with him is entitled to the increased allowances.

It is assumed that a dependent husband would take the same status for allowance purposes as a wife. Your decision of April 3, 1947 (B-63474) to Mr. W. H. Rohman, Authorized Certifying Officer, Department of Agriculture, has been noted.

It will be appreciated if you will render a decision in this matter at the earliest possible date. If you should rule that a married employee must have his wife at his foreign post of duty in order to be entitled to the increased allowances (in the absence of other members of his family) this office will immediately alter its payment procedure in those few cases affected. In the event of such a ruling, it is requested that because of the terminology contained in Bureau of the Budget Circular No. A-8, Revised, this Agency be relieved of the responsibility of collecting payments which may not have been made in accordance with your conclusion.

Very truly yours,

R. H. HILLENKOTTER
Rear Admiral, USN
Director of Central Intelligence

Concurred in:

General Counsel

Budget and Finance Branch

Personnel Branch
Adm. Hillenkoetter
cc: General Counsel Courtesy of. (GAO)